

**No. 71. An act relating to eliminating the role of town service officers in administering General Assistance benefits.**

(H.575)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 13 V.S.A. § 3901 is amended to read:

§ 3901. VAGRANT DEFINED

A transient person, roving from place to place and living without visible means of support, who begs, or who rides or attempts to ride on a railroad freight train or engine without the consent of the person in charge thereof, or who enters or attempts to enter a dwelling house, barn, or other building without the permission of the owners or occupants thereof, shall be deemed a vagrant. The act of applying ~~to a town service officer for general assistance or to a police officer~~ for lodging or subsistence shall not be evidence that such a person is a vagrant.

Sec. 2. 24 V.S.A. § 871 is amended to read:

§ 871. ORGANIZATION OF SELECTBOARD; APPOINTMENTS

Forthwith after its election and qualification, the selectboard shall organize and elect a chair and, if so voted, a clerk from among its number, and file a certificate of such election for record in the office of the town clerk. The selectboard shall thereupon appoint from among the legally qualified voters a tree warden and may thereupon appoint from among the legally qualified voters the following officers who shall serve until their successors are

appointed and qualified, and shall certify such appointments to the town clerk who shall record the same:

(1) three fence viewers;

(2) a poundkeeper, for each pound; voting residence in the town need not be a qualification for this office provided appointee gives his or her consent to the appointment;

(3) one or more inspectors of lumber, shingles, and wood; ~~and~~

(4) one or more weighers of coal; and

(5) one town service officer.

Sec. 3. 33 V.S.A. § 2102 is amended to read:

§ 2102. ~~TOWN SERVICE OFFICER, APPOINTMENT, DUTIES,~~

~~COMPENSATION~~

~~(a) On or before April 15 of each year the selectboard shall appoint a town service officer and notify the Commissioner of their appointment. A town service officer may be appointed to serve simultaneously more than one town. A selectboard member may be a town service officer. The Commissioner shall give him or her a certificate of appointment and contract for his or her compensation. If the selectboard fails to appoint a town service officer the Commissioner may do so. In the absence of the town service officer any selectboard member may act in his or her behalf. Successors of a retired, dismissed, deceased, or removed town service officer shall be immediately~~

~~appointed by the selectboard of the town under the same procedures as the original appointment.~~

~~(b) The duties of town service officers are to receive applications for assistance, to investigate, make determinations of eligibility for General Assistance, grant from funds advanced to him or her for emergency General Assistance and to perform other duties, including such investigations, under the welfare code as the Commissioner may direct. [Repealed.]~~

Sec. 4. 33 V.S.A. § 2106 is amended to read:

§ 2106. LIMITATION ON LIABILITY FOR MEDICAL ASSISTANCE

The State shall not be liable for medical or surgical care furnished to any person eligible for General Assistance, unless the Department agrees to it. ~~However, without agreement recovery may be had from the Department for necessary emergency care until it is first reasonably possible to contact a welfare officer or town service officer.~~ This section shall not apply to hospitals.

Sec. 5. 33 V.S.A. § 2111 is amended to read:

§ 2111. DEATH

When a person, including a transient, dies in the State in other than a State institution and no one appears to make funeral arrangements, the person in charge thereof shall report the death of the person to the nearest ~~welfare officer or town service officer~~ Economic Services Division office.

Sec. 6. 33 V.S.A. § 2112 is amended to read:

§ 2112. ~~PERSONS OUTSIDE HOUSE, HOSPITAL, OR JAIL~~

~~When a person needing relief, including a transient, is found in a place other than a house, hospital, or jail, the town service officer may provide relief under regulations of the Commissioner. [Repealed.]~~

Sec. 7. EFFECTIVE DATE

This act shall take effect on July 1, 2016.

Date Governor signed bill: April 8, 2016